

CITY COUNCIL, CITY OF LODI  
CITY HALL COUNCIL CHAMBERS  
SEPTEMBER 7, 1966

A regular meeting of the City Council of the City of Lodi was held beginning at 8:00 p.m. of Wednesday, September 7, 1966, in the City Hall Council Chambers.

ROLL CALL

Present: Councilmen - BROWN, CULBERTSON, HUNNELL,  
KIRSTEN and WALTON (Mayor)

Absent: Councilmen - None

Also present were City Manager Graves, Administrative Assistant Peterson, Assistant City Attorney Sullivan, and Planning Director Schroeder.

MINUTES

Minutes of August 17, 1966, were approved as written and mailed on motion of Councilman Kirsten, Brown second.

PRESENTATIONS

CERTIFICATES TO  
McCARTY & NORBY

Mayor Walton presented Certificates of Appreciation to James McCarty and Walter Norby, thanking them for their services to the community while on the City Planning Commission.

AAA PEDESTRIAN  
SAFETY AWARD

Mr. Cecil E. Green, Local District Manager of the California State Automobile Association, presented an AAA Pedestrian Safety Award plaque to Mayor Walton in recognition of the City's pedestrian safety record during the past year, with special commendation to the Police Department.

PLANNING COMMISSION

City Manager Graves read a report on the following actions of the Planning Commission at its meeting of August 29, 1966:

1. Denied the request of Inez Realty for a change in zoning from the R-3, Limited Multiple-Family Residential zone to the R-4, Multiple-Family Institutional zone for a parcel at 807 South Central Avenue.
2. Approved the request of Mrs. James Osborne for a use permit to care for three (3) retarded children in her home at 248 East Acacia Street in an area zoned R-3, Limited Multiple-Family Residential.
3. Denied the request of Mr. Irvin Bender for a variance to reduce the required lot area at 515 Rimby Avenue in an area zoned R-3, Limited Multiple-Family Residential.
4. Denied the request of Mr. Maurice O. Ray, Jr. for variances (1) to reduce the required lot area and (2) to reduce the minimum lot width to allow moving a second dwelling onto a lot at 939 Wellswood Avenue in an area zoned R-3, Limited Multiple-Family Residential zone.

These same variance requests were denied to another applicant by the Planning Commission at its meeting of May 9, 1966.

5. Approved the request of the Fairmont Dental Group (1) for a variance to permit off-street parking in the required front yard area and (2) to allow a parking lot with an eighteen-foot aisle which does not conform to the Planning Commission's policy on parking lots on a parcel at the northeast corner of West Tokay Street and South Fairmont Avenue in an area zoned C-P, ~~Commercial-Professional~~.

The Planning Commission approved this variance because the applicant's plans had been submitted and approved by the Planning and Building Departments three months before the items requiring variances became effective and would have been legal had a building permit been requested at that time.

6. Approved the request of Mrs. Shirley Rubiolo for a variance to permit a required off-street parking space in the required front yard to allow the garage in her home at 521 Howard Street to be converted to a service room and playroom.

This variance was approved because the actual alteration of the garage began before the ordinance prohibiting parking in front yard areas became effective.

7. Adopted a resolution approving the acquisition of additional land near Lawrence Park for new softball facilities.

#### COMMUNICATIONS

##### OUTSIDE UTILITIES FOR RICHFIELD CO.

A letter was presented from C. P. McIntosh of Atlantic Richfield Company, Richfield Division, requesting water and sanitary sewer service for a service station at the southwest corner of Kettleman Lane and 99 Freeway which is presently outside the City limits. The company agrees to annexation of the property to the City at such time as the Council considers desirable providing the property will be zoned C-2 and the existing 550 sq. ft. sign will be permitted. Mr. Graves pointed out that the part of the intersection within the City was zoned C-2 so there should be no problem concerning the zoning request. Planning Director Schroeder said the service station sign was not in conflict with the sign ordinance and that application for rezoning had already been made. Mr. Stewart Meyers, representing Mr. McIntosh, explained the position of the company in regard to this request, stating that if they could not get City service right away they would have to withdraw their request and put in their own facilities. After further discussion, it was moved by Councilman Kirsten that the request of the Richfield Company for water and sanitary sewer service be granted on the basis of the letter from Mr. McIntosh. The motion was seconded by Councilman Brown and carried unanimously.

##### APPEAL OF M. O. RAY, JR.

A letter was read from Maurice O. Ray, Jr., appealing the decision of the City Planning Commission in denying his request for variances in lot size and width for a lot at 939 Wellswood Avenue. On motion of Councilman Kirsten, Culbertson second, the matter was set for hearing on September 21, 1966.

##### CVD, LCC MEETING

Notice was received of the quarterly meeting of the Central Valley Division, League of California Cities, which is to be held in Stockton on September 22.

## Minutes of September 7, 1966 continued

## ABC LICENSES

The following notices of application for alcoholic beverage license were read;

1. Person to Person Transfer to Jack Theobald, Off Sale General, Tokay Bottle Shop, 531 W. Lockeford St
2. Person to Person Transfer to Donald L. and Frances D. Pollard, On Sale Beer, Bent Pretzel, 548 S. Sacramento Street.

SAN JOAQUIN  
VALLEY GOV'TS

Mr. Graves reported that in reply to a letter received by the Mayor from Roger M. Huckins, President of the Central Valley Division, League of California Cities, asking for the position of the City in regard to forming an association of San Joaquin Valley governments, a letter had been written to Mr. Huckins informing him of the City Council's interest in having such an association formed.

COOPERATIVE  
LIBRARY SYSTEM

RES. NO. 2984

Mr. Graves then referred to the communication which had been received by each member of the Council from the Library Board in regard to the City participating in a cooperative library system. City Librarian Leonard Lachendro, representing the Library Board, stated that the Board had held two meetings in order to thoroughly review the proposed system and was now recommending that the Council adopt a resolution authorizing application to the State for grants for the formation of a cooperative library system among the cities of Stockton and Lodi and the counties of Amador, Calaveras and Tuolumne and such other municipalities and/or counties in the geographical area as is deemed advisable. He introduced Mr. John Almond, a member of the State Library staff, who was present to answer questions. Mr. Lachendro explained that there were two types of grants available, establishment grants and per capita grants. Establishment grants were for two years and in an amount up to \$10,000 for each of the two years. The per capita grant is a continuing grant to finance on-going activities, but there is no guarantee that there will be sufficient money from year to year. The City can withdraw at the end of any year. If there is not sufficient per capita funds, the City can withdraw from the system, can agree to assess the Library budget, or can back the program. The cooperative system will provide for more rapid inter-library loans, books will be delivered rapidly among members by truck, a larger film selection will be made available, and consultant service will also be available. Joining the system means that library service in Lodi may be improved without cost to the taxpayer, operation of the system will be by an executive committee of the head librarians, the contract is on a yearly basis so the City can withdraw at the end of any year, and belonging to the system would qualify the City for Federal and State aid for library construction. Mr. Lachendro said possible drawbacks might be that equal access to the Library would be given to all in the system, the City would be committing itself not to expend less of its own funds on the Library than in the past year, and that two years would be required for processing books, and studying ways and means. After questions and discussion, it was moved by Councilman Culbertson that the City Council adopt Resolution No. 2984 approving the participation of the City of Lodi in a Cooperative Library System. The motion was seconded by Councilman Kirsten and carried unanimously.

Approved  
9/21/66  
B-7

## REPORTS OF THE CITY MANAGER

## CLAIMS

Claims in the amount of \$280,585.02 were approved on motion of Councilman Kirsten, Hunnell second.

AWARD -  
UNDERGROUND  
ELECTRIC SYSTEM

The following bids had been received on the Underground Electric Distribution System, phase one:

RES. NO. 2985

Collins Electrical Co.	\$52,983
Graffigna Electric	56,257
R. Flatland Co.	66,400
Ecco-Phoenix Electric	79,000

On motion of Councilman Kirsten, Culbertson second, the City Council adopted Resolution No. 2985 awarding the contract for said project to the low bidder, Collins Electrical Company.

LUHS  
STADIUM  
CONTRACT

Mr. Graves informed the Council that the contract with Lodi Union High School for use of the stadium had expired and a new contract had been worked out with School officials. The School is to pay three cents per kilowatt hour for use of electricity, 35 cents per adult and five cents per high school student. The contract will be for a term of five years. The City will maintain the field and lighting system. The concessions will be given to the High School Student Body as long as it is run by them. The City has the sole right to contract with a private concessionaire in the event the students do not operate the concession facilities. On being questioned, City Manager Graves said there was no hold harmless clause in the contract. Councilman Culbertson moved that the contract be approved, subject to inclusion of the hold harmless clause, and that the Mayor be authorized to sign the contract after said clause is inserted. The motion was seconded by Councilman Hunnell and carried by unanimous vote.

TURNAGE MARKET  
LEASES MODIFIED

Mr. Graves stated that since the City has purchased the Turnage Market property and taken over the leases, the tenants have to pay possessory interest tax in the building since the City does not pay property tax. Under the terms of the lease the tenants would normally pay \$353.70 in taxes. Since the possessory tax is \$1,158.80, Mr. Graves suggested that the rent be reduced by the difference between \$1,158.80 and the \$353.70 for which the tenants are responsible, amounting to \$805.10. On motion of Councilman Kirsten, Hunnell second, the City Council authorized the City Manager to modify the lease agreements with the tenants to provide a reduction of \$805.10 in the rent.

IMPROVEMENTS  
ACCEPTED IN  
EUNICE GLEN #2

RES. NO. 2986

Mr. Graves stated that the public improvements had been completed in Eunice Glen No. 2 in substantial conformance with the City's approved plans and specifications. He recommended that the improvements be accepted along with dedication of the streets. On motion of Councilman Culbertson, Kirsten second, the Council accepted the improvements and adopted Resolution No. 2986 accepting the offer of dedication of the streets in Eunice Glen Unit No. 2 Subdivision.

SPECS -  
SUBDIVISION  
PAVING 1966

On motion of Councilman Kirsten, Culbertson second, the City Council approved the specifications and called for bids on the 1966 Subdivision Paving project.

## Minutes of September 7, 1966 continued

SPECS -  
B-1 BASIN  
STRUCTURES

The Council then approved the specifications on the construction of pumping station and outlet structures in B-1 Basin and authorized calling for bids thereon, on motion of Councilman Kirsten, Brown second.

SPECS -  
ASBESTOS  
CEMENT PIPE

Specifications for asbestos cement pipe were approved and calling for bids authorized on motion of Councilman Brown, Kirsten second.

PARKING  
METERS -  
S. SACTO ST.

RES. NO. 2987

Mr. Graves recommended that the west side of Sacramento Street from Walnut Street south to the alley be made a one-hour metered parking zone. He said there have been complaints because of all-day parking in this area. On motion of Councilman Kirsten, Culbertson second, the City Council adopted Resolution No. 2987 designating the west side of Sacramento Street from Walnut south to the alley to be a one-hour metered parking zone.

CROSSWALK ON  
CHEROKEE LANE  
FOR GARFIELD  
SCHOOL

RES. 2988

The Lodi Elementary School District has requested that a crosswalk be placed across Cherokee Lane on the south side of Eden Street primarily for children going to Garfield School from Walnut Orchard and Pioneer Subdivisions. On motion of Councilman Kirsten, Brown second, the City Council adopted Resolution No. 2988 authorizing a school crosswalk across Cherokee Lane on the south side of Eden Street.

U-TURNS ON  
WALNUT AT  
EAST CAMPUS

The Lodi High School officials are requesting a "No U-Turn" designation on Walnut Street at its intersection with California Street. Considerable congestion and turmoil have been caused from U-turns being made at this intersection. After discussion, it was moved by Councilman Culbertson and seconded by Councilman Kirsten that action on this request be postponed until further information was given. The motion carried by unanimous vote.

U-TURNS ON  
PACIFIC AVE.  
AT WEST CAMPUS

The High School is also concerned about the cruising on Pacific Avenue from Walnut Street to the West Campus Service entrance and is recommending that these intersections be designated for "No U-Turns." On motion of Councilman Culbertson, Hunnell second, this request was also postponed for further consideration.

TRAFFIC AT  
MILLER'S  
MILLWORK MART

RES. NO. 2989  
AND  
RES. NO. 2990

The City Manager reported that he had discussed with Mr. Clarence Miller the traffic problem in the alley along which Miller's Millwork Mart is located east of California Street. Mr. Miller had agreed that making the alley one-way going east and placing no parking zones on California Street on both sides of the entrance to the alley should help to ease the traffic situation. In discussing the matter, the Council felt that the alley should be one-way only during specified hours. Councilman Kirsten moved the adoption of Resolution No. 2989 establishing no parking zones on the east side of California Street immediately adjacent to the alley between Forrest and Louie Avenues. His motion was seconded by Councilman Brown and carried by unanimous vote. On motion of Councilman Kirsten, Culbertson second, the City Council adopted Resolution No. 2990 by unanimous vote establishing the alley bounded by Forrest Avenue, California Street, Louie Avenue and Lincoln as a one-way alley going east between the hours of 7:30 a.m. to 5:30 p.m. Monday through Friday, 7:30 a.m. to 12:30 p.m. on Saturday, with Sunday and holidays excepted.

OPEN SPACE GRANT  
FOR SOFTBALL  
DIAMONDS

RES. NO. 2991

Mr. Graves recommended that the City Council authorize the filing of an application for Federal funds for acquisition of open-space land, being the Marie Mallinan property which the City wishes to acquire for softball playing fields. On motion of Councilman Culbertson, Hunnell second, the City Council adopted Resolution No. 2991 authorizing the filing of an application for said purpose.

ORDINANCES

ANNEX HOM ADDN

ORD. NO. 824  
ADOPTED

ORDINANCE NO. 824, entitled "AN ORDINANCE APPROVING THE ANNEXATION OF CERTAIN UNINHABITED TERRITORY, DESIGNATED 'HOM ADDITION,' TO THE CITY OF LODI," having been introduced at the regular meeting of August 17, 1966, was brought up for passage on motion of Councilman Kirsten, Brown second. Second reading was omitted after reading by title, and the ordinance was then passed, adopted and ordered to print by the following vote:

Ayes: Councilmen - BROWN, CULBERTSON, HUNNELL  
KIRSTEN and WALTON

Noes: Councilmen - None  
Absent: Councilmen - None

ADOPTING 1966-67  
CAPITAL & UTILITY  
OUTLAY BUDGETS

ORD. NO. 825  
ADOPTED

ORDINANCE NO. 825, entitled "ADOPTING A UTILITY AND CAPITAL OUTLAY BUDGET FOR THE CITY OF LODI FOR THE FISCAL YEAR BEGINNING JULY 1, 1966 AND ENDING JUNE 30, 1967," having been introduced at the regular meeting of August 17, 1966, was brought up for passage on motion of Councilman Brown, Kirsten second. Second reading was omitted after reading by title, and the ordinance was then passed, adopted and ordered to print by the following vote:

Ayes: Councilmen - BROWN, CULBERTSON, HUNNELL,  
KIRSTEN and WALTON

Noes: Councilmen - None  
Absent: Councilmen - None

CITY MANAGER REPORTS (Continued)

CURBSIDE  
MAILBOXES

Mr. Graves reported that by September 8 the local post office would be delivering only to curbside mailboxes in the new subdivisions; otherwise the residents will pick up their mail at the post office. He said the City of Pleasanton had adopted an ordinance prohibiting mailboxes in the public right of way and had also filed a suit against the Post Office Department. He said Tracy and Livermore were also considering the adoption of a similar ordinance.

NSJ WATER  
DISTRICT RE  
FOLSOM SOUTH  
CANAL WATER

The City Manager informed the Council that the North San Joaquin Water Conservation District, to which the City belongs, is negotiating with the Bureau of Reclamation to obtain water from Folsom South Canal. He said this water would be sold through the district system to the agricultural area. A reasonable financial scheme would have to be worked out so that the farmers would get water from the district rather than by pumping. This would enable the City to maintain its present system as the underground water basin would not be depleted. Mr. Graves asked if the Council would like to meet with representatives of the District, or if they wished to leave it to the Administration.

Minutes of September 7, 1966 continued

Councilman Kirsten moved that the City Manager be authorized to represent the City in meetings with the North San Joaquin Water Conservation District. The motion was seconded by Councilman Culbertson and carried by unanimous vote.

APPRAISER -  
W. LODI AVE.  
RIGHT OF WAY

Councilman Hunnell moved that an appraiser be hired in connection with the acquisition of right of way on Lodi Avenue from Ham Lane west. The motion was seconded by Councilman Kirsten and carried by unanimous vote.

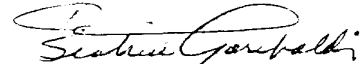
#### APPOINTMENT

ELLIOTT TO PC

Mayor Walton asked the Council's concurrence in the reappointment of Robert K. Elliott to the Planning Commission. On motion of Councilman Kirsten, Hunnell second, the City Council approved the reappointment of Robert K. Elliott for another four-year term ending June 30, 1970.

#### ADJOURNMENT

There being no further business, the Council adjourned at 10:05 p.m. on motion of Councilman Brown, Hunnell second.



Attest: Beatrice Garibaldi  
City Clerk